

Patent  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Heller, Michael

Serial No.: 09/997,374

Filed: November 29, 2001

For: HYBRIDIZATION OF  
POLYNUCLEOTIDES CONJUGATED  
WITH CHROMOPHORES AND  
FLUOROPHORES TO GENERATE  
DONOR-TO-DONOR ENERGY  
TRANSFER SYSTEM

Group Art Unit: 1655

Examiner: Not Yet Assigned

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OCT 07 2003

PRELIMINARY AMENDMENTBox AMENDMENT  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please enter the following amendment in the above-referenced application:

IN THE SPECIFICATION

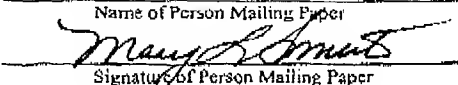
Please replace the paragraph beginning at page 1, line 7, with the following rewritten paragraph:

--This is a continuation of U.S. Application Serial No. 09/724,753, filed on November 28, 2000, which in turn is a continuation of U.S. Application Serial No. 09/123,638, filed on July 28, 1998, now U.S. Patent No. 6,162,603, which is in turn a

OC-110419.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 21, 2002  
Date of DepositMary L. Smith  
Name of Person Mailing Paper  
Signature of Person Mailing Paper

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continuation of U.S. Application Serial No. 08/703,601, filed on August 23, 1996, now U.S. Patent No. 5,849,849, which in turn is a continuation of U.S. Application Serial No. 08/232,233, filed on May 5, 1994, now U.S. Patent No. 5,565,322, which was filed under 35 U.S.C. §371 based on International Application PCT/US92/09827, filed November 6, 1992, which in turn is a continuation-in-part of U.S. Application Serial No. 07/790,262, filed November 7, 1991, now abandoned. Each of the above-identified patents and applications is expressly incorporated herein by reference.--

### REMARKS

Applicant notes that the statement of priority as originally filed inadvertently omitted reference to the great-grandparent application, Serial No. 08/703,601, filed on August 23, 1996, now U.S. Patent No. 5,849,489. The statement of priority is correctly stated in the grandparent application, Serial No. 09/123,638, filed on July 28, 1998, now U.S. Patent No. 6,162,638 and has been corrected in the parent application Serial No. 09/724,753, filed on November 28, 2000. In addition, applicant notes that the Declaration of inventor Michael Heller, which accompanied the present application on its filing date of November 29, 2001, refers to U.S. Application Serial No. 08/703,601.

Favorable consideration and entry of the above amendments is respectfully requested. The Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: 5/20/2002

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Version with Markings to Show Changes Made

In the Specification

Please replace paragraph 1 on page 1 as follows:

This is a continuation of U.S. Application Serial No. 09/724,753, filed on November 28, 2000, which in turn is a continuation of U.S. Application Serial No. 09/123,638, filed on July 28, 1998, now U.S. Patent No. 6,162,603, which is in turn a continuation of U.S. Application Serial No. 08/703,601, filed on August 23, 1996, now U.S. Patent No. 5,849,849, which in turn is a continuation of U.S. Application Serial No. 08/232,233, filed on May 5, 1994, now U.S. Patent No. 5,565,322, which was filed under 35 U.S.C. §371 based on International Application PCT/US92/09827, filed November 6, 1992, which in turn is a continuation-in-part of [U.S. Application Serial No. 08/250,951, filed May 27, 1994, now U.S. Patent No. 5,532,129, which in turn is a continuation of] U.S. Application Serial No. 07/790,262, filed November 7, 1991, now abandoned. Each of the above-identified patents and applications is expressly incorporated herein by reference.